

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RALEIGH JOHNSON,

Plaintiff,

v.

MULTICARE HEALTH SYSTEM,

Defendant.

CASE NO. C18-5384 RBL

ORDER

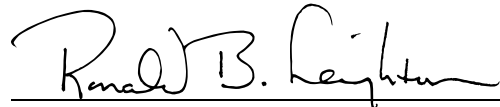
THIS MATTER is before the Court on Plaintiff Johnson's Motion to Remand [Dkt. # 8]. Johnson claims that Multicare's removal was improper because his claims do not require any reference to the Collective Bargaining Agreement for resolution.

The determination of whether a state cause of action is preempted by Section 301 depends on whether the resolution of the state law claims requires an interpretation of the CBA. A state law claim is not preempted when it is "independent" of the CBA and when the analysis of the state claim does not turn on any provision of the CBA. *Lingle*, 486 U.S. at 407, 108 S.Ct. at 1882; *Jimeno*, 66 F.3d at 1522-23.

1 The Court agrees that the Plaintiff's claim does not require interpretation of the CBA.
2 The Motion to Remand is GRANTED and the matter is REMANDED to Pierce County Superior
3 Court. The plaintiff's request for attorneys' fees is DENIED.

4 IT IS SO ORDERED.

5 Dated this 23rd day of July, 2018.

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8 Ronald B. Leighton
9 United States District Judge
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